THE HON'BLE SRI JUSTICE C.V.RAMULU

W.P.No.30999 of 1998

Dated:18.07.2007

Between
K.Surya Rao

.....Petitioner

and

1. The Chairman & Disciplinary Authority
Sri Visakha Grameena Bank, Head Office
Srikakulam, Srikakulam District
And another.

…Respondents

THE HON'BLE SRI JUSTICE C.V.RAMULU

WRIT PETITION NO.30999 OF 1998

ORDER:

This writ petition is filed seeking a Mandamus to declare the action of the respondents in imposing punishment of stoppage of two increments with cumulative effect vide order dated 31.7.1996 in D.P.No.430, and consequential proceedings in D.P.No.983/96-97 dated 24.3.1997 as arbitrary and illegal.

It appears that against the impugned order dated 31.7.1996, the petitioner has filed an appeal before the Board of Directors. Further, vide order dated 24.3.1997 the

petitioner was informed that the Board and Appellate authority at their 131 Board meeting held on 17.3.1996, after careful examination of appeal, decided to confirm the punishment of stoppage of two increments with cumulative effect. Except this, no other reasons were furnished.

The only question that arises for consideration in this writ petition is as to whether the Board/Appellate authority was right in dismissing the appeal filed by the petitioner without furnishing any reasons. In my considered opinion, this writ petition is squarely covered by a Judgment of this Court rendered in Writ Petition No.8792 of 1992 dated 29.08.2006, wherein it was held that the Board was bound to record reasons for dismissing the appeal preferred by the appellant therein. The fact remains that the Board of Directors did not consider any of the

points raised in the memorandum of appeal and arbitrarily dismissed the same without assigning any reasons. In this case on hand, also similar situation exists, therefore, the impugned order passed by the Board is liable to be set aside.

Accordingly, the writ petition is allowed and the impugned order is set aside and the Board is directed to re-consider the appeal and pass appropriate orders as per law. No costs.

18-07-2007

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